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P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
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JOHN S SUNDSMO  
BIOMEDPATENT.COM  
PO BOX 535  
VISTA CA 92085

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**OFFICE OF PETITIONS**

In re Application of  
Samuel T. Christian  
Application No. 09/547,501  
Filed: April 12, 2000  
Attorney Docket No. IMI-001

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed July 22, 2002 (Certificate of Mailing dated July 17, 2002). The Office apologizes for the delay.

The petition under 37 CFR 1.137(b) is **GRANTED**.

The above-identified application became abandoned for failure to timely file a proper reply to the Election/Restriction Requirement mailed June 19, 2001, which set a shortened statutory period for reply of one month. Applicant filed an amendment on July 23, 2001, made timely by obtaining a one month extension of time. However, a Notice of Non-Compliant Amendment was mailed on August 3, 2001. This Notice gave applicant a one month period to reply. Applicant filed another response on August 22, 2001. However, a Notice of Non-Responsive Amendment was mailed on October 10, 2001. This Notice gave applicant an additional one month period to reply. Applicant filed an amendment on March 11, 2002, made timely by obtaining a four month extension of time, and by the fact that March 10, 2002 fell on a Sunday.<sup>1</sup> However, as this reply was not proper and was determined not to constitute a *bona fide* attempt at a proper reply, the above-identified application became abandoned on March 11, 2002. A Notice of Abandonment was mailed on June 5, 2002.

Petitioner has met the requirements to revive the above-identified application, pursuant to 37 CFR 1.137(b). Petitioner filed an election in response to the Election/Restriction Requirement, paid the petition fee and made the proper statement of unintentional delay.

<sup>1</sup> See 37 CFR 1.7(a).

The application file is being forwarded to Technology Center 1600 for consideration of petitioner's election response, filed December 26, 2002.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0272.

A handwritten signature in cursive script, appearing to read "Cliff Congo".

Cliff Congo  
Petitions Attorney  
Office of Petitions